

## Consumer Safety Associates, LLC

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Wm. F. Kitzes, J.D.  
Board Certified  
Product Safety Manager

Safety Management  
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### CURRICULUM VITAE

Safety Analysis  
Warnings

William F. Kitzes

Expert Testimony  
Recalls

#### Education

University of Wisconsin, B.A.; 1972

Washington College of Law, American University, J.D.; 1975

Certificate in Safety Management (1989)  
American Society of Safety Engineers

University of Michigan, College of Engineering,  
Human Factors Engineering, Summer 1990

Executive Program in Safety Management (2007)  
American Society of Safety Engineers

Risk Communication  
Harvard School of Public Health, March 2013

#### Professional Safety Associations

National Safety Council • American Society of Safety Engineers  
Board of Certified Product Safety Management, Executive Level  
Board of Certified Hazard Control Management, Master Level  
Human Factors Society • System Safety Society  
International Consumer Product Health and Safety Organization  
Florida Propane Gas Safety, Education and Research Council  
Chairman, Florida Consumers' Council (1993-2007)

#### Work Experience

U.S. Consumer Product Safety Commission  
Washington, D.C. 20207

1975-1981

1975 - 1977	Legal Advisor to the Director, Section 15 Office of Product Defect Identification
1977 - 1980	Program Manager Sports, Recreation & Power Equipment Office of the Executive Director
1980 - 1981	Regulatory Counsel Office of the General Counsel

The Institute for Safety Analysis, Inc.  
Rockville, Maryland 20850

1981 - 1983  
Vice President and General Manager

Consumer Safety Associates

1983 - Present  
Safety Analyst, Product Safety Manager

Professional Experience

Mr. Kitzes has extensive experience in safety analysis, regulatory development, and management systems. His background includes the following activities:

- o Managed and supervised professional staff of 18 in preparing safety engineering analysis for nationally-known technical consulting firm which specialized in evaluating the safety performance of automotive and consumer products
- o Developed the Federal Safety Standard for Power Lawn Mowers, 16 CFR 1205; February 1979
- o Developed programs to identify and analyze safety performance data to evaluate compliance with the reporting requirements of Section 15 of the Consumer Product Safety Act
- o Negotiated voluntary corrective action programs and consent agreements with major manufacturers to recall defective products

- o Managed interdisciplinary task force of engineers, epidemiologists, attorneys, and investigators in developing standards and communications programs for sports, recreation, and power equipment
- o Conducted special studies of nationwide injury patterns using the National Electronic Injury Surveillance System (NEISS)
- o CPSC Awards include the Silver Medal for Meritorious Service, 1977 and the Superior Achievement Award, 1979

#### Seminars and Workshops

Mr. Kitzes is an active speaker, author, and educator on safety-related issues. The following is a partial list of seminars, workshops, and lectures given by Mr. Kitzes since 1975:

Compliance Issues and The Consumer Product Safety Act, Diebold Research Group, 245 Park Avenue, New York, 1975

Government Action Under the Consumer Product Safety Act with Professor Robert Vaughn, Washington college of Law, American Bar Association, Washington, D.C., 1975

Consumer Safety Officer Training in accident analysis and implementing the provisions of Section 15 of the Consumer Product Safety Act (CPSA), U.S. Consumer Product Safety Commission, New York, Chicago, Minneapolis, and San Francisco, 1975 and 1976

Manufacturers Compliance Seminar on safety analysis and accident investigation for Sections 15 and 19 of the Consumer Product Safety Act (CPSA), U.S. Consumer Product Safety Commission, Kansas City, Missouri

Marketing Analysis and Government Action, panel with Dr. Salvatore Davita, George Washington University, Washington, D.C. 1976

Reporting Requirements and Corrective Action Plans Under Section 15 of the CPSA, Product Safety Conference, Washington, D.C., 1976

Implementing the New Requirements for Notification and Reporting: 16 CFR 1115, Product Safety Conference, Washington, D.C. 1977

Changes in the Proposed Standard for Power Lawn Mowers, Outdoor Power Equipment Institute, Washington, D.C. 1978

The Federal Regulatory Process, National Institute for Paralegal Training, Philadelphia, Pennsylvania, 1978 & 1979

The Art of Applying Technology in Personal Injury Lawsuits,  
Regulatory Data -- A Buried Treasure, National Center for Technology  
in Law, Hunt Valley, Maryland, 1981

The Human Factor: a safety/needs analysis of the modern fire fighting  
environment, with Richard L.P. Custer, Foundation for Fire Safety, Cliffside  
Manor, Harpers Ferry, West Virginia, 1981

CPSC and ATVs, AIEG, October 1986, and May 1987

ATV Safety, National Association of Attorneys General, October, 1987

Safety Analysis and the CPSC, American Pleasure Boat Safety Association,  
January, 1988 and 1989

Safety Management and the CPSC, James Tuck Memorial Lecture, Keynote  
Address, Detroit, Michigan, June 1990

Safety Analysis and Product Safety Management, Texas Trial Lawyers Product  
Liability Seminar, Houston, Texas, April 1994

Safety Management and the Consumer Product Safety Commission, The Academy  
of Florida Trial Lawyers, Orlando, Florida, January 1995

Panel on Child Safety, International Consumer Product Health and Safety  
Organization, Orlando, Florida, March 1995

Recalls, Defects and Public Disclosure: Panel Discussion, International Consumer  
Product Health and Safety Organization, Orlando, Florida, March 1996

National Safety Council Congress and Exposition, Session #51  
Post Sale Corrective Action Plans - Recalls and Consumer Notice, Educational  
Resources Division, Orlando, Florida, October 1996

National Safety Council Congress and Exposition, Session #152  
Injury Prevention Analysis: Guidelines for Product Safety Managers, Educational  
Resources Division, Chicago, Illinois, October 1997

Worldwide Juvenile Product Safety Panel, International Consumer Product Health  
and Safety Organization, Orlando, Florida, February 1998

The Faces of the Future Seminar, Keenan's Kids Foundation, Atlanta, Georgia,  
May 1998

The Role of the Safety Analyst, Kentucky Academy of Trial Attorneys, Louisville,  
Kentucky, May 1998

National Safety Council Congress and Exposition, Session #69  
When Risk Can't Be Eliminated: Building Adequate Warnings, Educational  
Resources Division, Los Angeles, California, October 1998

Freedom of Information, CPSC-ABA Forum, International Consumer Product Health and Safety Organization, Orlando, Florida, February 1999

Protecting Our Kids, Faces of the Future Seminar, Keenan's Kids Foundation, Atlanta, Georgia, March 1999

CPSC Compliance Workshop, Preparing, Developing and Implementing a Successful Recall Program, Los Angeles, California, October 1999

CPSC Compliance Workshop, Conducting a Recall - Fast Track vs. Traditional, International Consumer Product Health and Safety Organization, Orlando, Florida, February 2000

CPSC Compliance Workshop, Designing, Producing and Distributing Safer Consumer Products, International Consumer Product Health and Safety Organization, Orlando, Florida, February 2001

Ten Principles of Product Safety Management, Kentucky Academy of Trial Attorneys, Louisville, Kentucky, May 2001

CPSC Compliance Course, Recall Success Stories, International Consumer Product Health and Safety Organization, Orlando, Florida, February 2002

Masters in Trial, American Board of Trial Advocates, Chicago, Illinois, June 2002

CPSC Compliance Course, CPSC and ICPHSO -- 10 Years Later, International Consumer Product Health and Safety Organization, Orlando, Florida, February 2003

CPSC Compliance Course, Section 15 Reporting Obligations, Panel, International Consumer Product Health and Safety Organization, Orlando, Florida, March 2004

Creating Safe Products--Practical Applications of Hazard Assessment, International Consumer Product Health and Safety Organization, Orlando, Florida, February 2005

Warnings and Instructions, Human Factors Symposium, ICPHSO and CPSC, International Consumer Product Health and Safety Organization, Bethesda, Maryland, September 2005

Introduction to Product Safety, AIG UK Limited, Human Focus, Web based video Instruction Programme, Accredited by the Royal Society for the Prevention of Accidents, London, England, United Kingdom, 2007  
Risk Assessment, AIG Consultant, Inc., New York, 2008

Risk Management 101, ICPHSO and CPSC Compliance and Training Seminar, International Consumer Product Health and Safety Organization, Chicago, Illinois, May 2008

Safety Testing: Beyond the Statutes, International Consumer Product Health and Safety Organization, Orlando, Florida, February 2011

Safety Management: NASA and the FAA, Lawyer-Pilots Bar Association, Albuquerque, New Mexico, July 26, 2014

50 States - Managing Risk in a Patchwork of Laws and Regulations, International Consumer Product Health and Safety Organization, Orlando, Florida, February 2017

### Publications

Standards, Regulations and Safety Guidelines to Protect Children from Injury, Children and Injuries, Joe Frost, ed., Lawyers & Judges Publishing Company, Inc., Tucson, Arizona, 2001

Columnist, Product Safety: An In-Depth Analysis, Consumer Product Safety Guide, CCH, Chicago, Illinois, 2000 - 2001

Risk Analysis in Product Liability Litigation, 2000 Wiley Expert Witness Update, New Developments in Personal Injury Litigation, Aspen Law & Business, New York, 2000

Protecting Our Kids - Everyone Plays a Part, Forum, Consumer Attorneys of California, Volume 27, No. 10, December 1997

Forensic Safety Analysis: Investigation and Evaluation, 1996 Wiley Expert Witness Update, New Developments in Personal Injury Litigation, John Wiley & Sons, Inc., New York, 1996

The Role of the Safety Analyst in Product Liability Litigation, Trial Diplomacy Journal, Vol. 18, No. 2, March/April 1995

Safety Management and the Consumer Product Safety Commission, Professional Safety, Vol. 36, No. 4, April 1991

ATVs -- The Hidden Danger, Journal of Law, Medicine and Health Care, Vol. 17, No. 1, Spring, 1989

Private Causes of Action Under the Consumer Product Safety Act, Trial Lawyers Quarterly, Vol. 17, No. 1, 1985

Administrative Civil Penalties Are Here To Stay, But How Should They Be Implemented? Wm. F. Kitze and David Schmeltzer, American University Law Review, Vol. 26, No. 4, Washington, D.C., 1977

Substantial Hazards in Consumer Products, (Investigators Manual), Wm. F. Kitze, U.S. Consumer Product Safety Commission, 1977

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- Safety Analysis
- Warnings
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- Expert Testimony

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Product Safety Manager

Hazard Control Manager

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Children's Products  
Sports & Recreation  
Power Equipment  
Motor Vehicles  
Household Products  
Workplace & Industrial  
Hazardous Substances

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Bill Kitzes has over 30 years of safety management experience at the U. S. Consumer Product Safety Commission, the Institute for Safety Analysis and Consumer Safety Associates, where he currently serves as Principal Safety Analyst and Product Safety Manager. Mr. Kitzes is a Board Certified Product Safety Manager and Hazard Control Manager, and holds a Certificate in Safety Management from the American Society of Safety Engineers and has completed their more advanced Executive Program in Safety Management. He has testified in over 115 trials in 28 states, Canada and Australia.

From 1974 to 1981, Mr. Kitzes worked at the U. S. Consumer Product Safety Commission (CPSC). For 3 years, he served as Legal Advisor to the Director, Office of Product Defect Identification, and was responsible for identifying product defects, implementing recalls and developing voluntary corrective action plans under Section 15 of the Consumer Product Safety Act.

As CPSC Program Manager for Sports, Recreation and Power Equipment (1977-1980), Mr. Kitzes directed the application of injury statistics, engineering data, and foreseeable consumer use to achieve a reduction in injuries, through standards, warnings, and safety education campaigns. He led the development of the Federal Safety Standard for Walk-Behind Power Lawn Mowers (16 CFR 1205) in 1979. Mr. Kitzes served as Commission representative to various standards development committees, including American National Standards Institute (ANSI) and American Society for Testing & Materials (ASTM).

Mr. Kitzes has been retained as a consultant for a number of major manufacturers, including the *Toro Company* on product safety issues, the *Vendo Company* for developing warning labels and safety bulletins, the *Jensen Corporation* for safe operation of industrial equipment, *BernzOmatic*, a division of the Rubbermaid / Newell Group, for development of point-of-purchase recall displays and advertising, *Arctic Cat, Inc.* for analysis of all-terrain vehicle off-road safety, including instructions, warnings and foreseeable use, and *Visioneer, Inc.* in developing a program to upgrade computer scanners. He has developed a program for *Global Industries* to improve executive chair stability, reviewed warnings on heavy equipment for *Daewoo Heavy Industries America*, investigated safety issues for *Carson Industries, Inc.* and assisted *CISCO Systems* in recall development. Bill has designed a warning label for *Whisper Communications, Inc.*, and assisted *Wham-O, Inc.* in recall procedures. He has provided risk analysis, recall assistance and consumer warnings for *Restoration Hardware, Inc.* and has developed warnings for *Plastics Research Corp.* for use on decorative building materials. He has reviewed advertising and promotional material for *ACH Foods* and assisted *Hilton Hotels* on recalls. Bill has advised *Swimways Corporation* on product safety management and warnings. He has assisted *Dick's Sporting Goods* in developing safety communications and warnings. He served as Product Safety Coordinator for compliance with a Department of Justice / CPSC Consent Agreement and Order for *LM Imports*. For *Rollz International* (Netherlands), he revised the user manual for American and Canadian markets.

Mr. Kitzes has served as an advisor to the National Association of Attorneys General, the State of New York and is the former Chairman of the Florida Consumers' Council (1993-2007). He is the author of numerous articles in professional journals on risk analysis, standards development, forensic safety and children's safety issues.

Mr. Kitzes has been an active speaker at the *National Safety Council* and the *International Consumer Product Health and Safety Organization*. He has worked with the CPSC staff in presenting compliance seminars to manufacturers, distributors and retailers around the country.